

64<sup>th</sup> Meeting Wednesday, August 7, 2013 9:00 am to 4:30 pm Honolulu Community College · Marine Education & Training Center 10 Sand Island Parkway Honolulu, HI 96819

**Purpose:** The purpose of this Sanctuary Advisory Council meeting is to seat the new members most recently recruited to the council, discuss recommendations from the Sanctuary Naming Working Group, and provide status updates on management plan review and other sanctuary initiatives.

Sol Kaho 'ohalahala opens the meeting with a pule.

Chair Adam Pack welcomes everyone and invites Secretary Jack Kittinger to take attendance.

**Primary council members present:** Sandra Rosstter, Andrea Gill, Tetsuzan Benny Ron, Eric Kingma, Jack Kittinger, Richard Davison, Maka 'ala Ka 'aumoana, Cindi Punihaole Kennedy, Janice Fukawa, Roberts Leinau, Kehau Watson, Malia Chow, Jennifer Barrett, Doug Cole, William Aila, Leo Asuncion, Everett Ohta, Adam Pack, Take Tomson, Kimokeo Kapahulehua, , Lisa Van Atta, Elia Herman, Jim Coon, George Thompson, Taylor Heckman, Sol Kaho 'ohalahala, Walter Ritte, Gary Gill

Alternate council members present: Charter Tschirgi (for Eric Roberts), Johanna Kamaunu (for Robin Newbold), David Swatland (for Aulani Wilhelm), Thorne Abbott, Matthew Sproat, Rachel Sprague, Gordon LaBedz

Excused: Athline Clark, Gene Brighouse, Rick Gaffney, Eric Roberts, Robin Newbold

**Others present:** Edward Chen (for Gary Gill in the morning), Leimana DaMate, David Jung, Erin Zanre, Mel Wills, Kalasara Setaysha, Paul Wong, Brenda Asuncion, Fiona Langenberger, Emily Gaskin, Patty Miller, Jean Souza, Jordan Ching, Hans Van Tilburg, Joyce Cheng, Airi Spenser

## **Management Plan Review Update**

Malia Chow provided an overview of the management plan review (MPR) process. She highlighted that the SAC has played a substantial role through the working group recommendations to advise sanctuary management. Brenda Asuncion discussed how the input from public comments and the SAC are being incorporated into the new management plan. She also explained how the four overarching considerations identified from public scoping are informing the draft goals for the sanctuary. Emily Gaskin provided an overview of the Environmental Impact Statement (EIS) and the purpose it serves during MPR.

Council members voiced several questions regarding proposed boundary adjustments, and staff provided clarification that all public comments related to boundaries were taken into consideration, but not all suggestions were fully analyzed since they did not meet sufficient

#### NON-GOVERNMENT (Voting)

Tetsuzan Benny Ror

Cindi Punihaole Kennedy Citizen-At-Large

Richard Davison Commercial Shipping

Barbara (Makaʻala) Kaaumoana Conservation

Jennifer Barrett

Myrick (Rick) Gaffney Fishing

Adam Pack (Chair) Hawai'i County

Roberts (Bob) Leinau

Honolulu County

George Thompson Kaua'i County

Solomon Pili Kahoʻohalahala

Robin Newbold Maui County

Walter Ritte

Trisha Kehaulani Watson Native Hawaiian

Douglass Cole Ocean Recreation

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Kimokeo Kapahulehua

Jim Coon Whale Watchina

Taylor Heckman Youth Member (non-voting)

## $\underline{\mathbf{GOVERNMENT}} ( \mathrm{Non\text{-}Voting})$

Leo Asuncion DBEDT - Office of Planning

Andrea Gill DBEDT Renewable Energy

William J. Aila Jr. DLNR

Elia Herman DLNR – Hawaiian Islands Humpback Whale NMS

 $\begin{array}{c} \text{Gary Gill} \\ DOH \end{array}$ 

Sandra Rossette

Everett Ohta OHA (Voting)

Gene Brighouse NMS of American Samo

Malia Chow Hawaiian Islands Humpback Whale NMS

Papahānaumokuākea MNM

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Lisa Van Atta NOAA Fisheries PIRO

Eric Kingma WESPAC (Voting)

WESPAC (Voting Athline M. Clark US ACOE

Eric Roberts

US Coast Guard

Rebecca Hommon

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criteria to be considered. For example, public comment requesting the sanctuary go away was not considered as an alternative because the sanctuary was Congressionally designated and cannot be eliminated as a result of public comment. Additionally, staff clarified that the sanctuary boundary can be considered in the future and does not have to be considered only during a sanctuary management plan review.

Staff also clarified that the EIS will have a range of alternatives for public to comment on, and that the management plan will describe the preferred management alternative. There will be a 90-day period for the public to comment on the draft management plan and EIS before the documents are finalized. It is anticipated that another SAC meeting will be held during the 90-day public comment period so council members can communicate with their constituencies about the draft management plan and EIS.

Council members wondered about the role that communities will have related to boundary changes. Maka 'ala Ka 'aumoana noted that many of the requests for the proposed boundary adjustments come from Kaua 'i, and that the requests were initiated and originated by the communities themselves.

Adam Pack emphasized that there will be a continued role for SAC members throughout the remainder of the sanctuary management plan review process. He reminded the council that the MPR working group was established in September 2012, but the task was not defined. Jack Kittinger volunteered to chair the working group, with Sol Kaho 'ohalahala as vice-chair. Adam clarified that the role of the MPR working group is as follows: When the draft management plan is released, the working group will review the documents and assess how the SAC recommendations were incorporated. Adam Pack urged the former SAC working group chairs to be on the MPR working group, since they are quite familiar with the recommendation reports generated by the issues-based working groups. Adam Pack also clarified that the MPR working group does not exist under any particular subcommittee, and that working groups are open to members of the public, and not restricted to SAC members. Emily Gaskin will be the staff lead for the MPR working group. The following individuals raised their hands when asked who was interested in participating in the working group: George Thompson, Cindi Punihaole Kennedy, Johanna Kamaunu, Walter Ritte, Benny Ron, Maka 'ala Ka 'aumoana, Jennifer Barrett, Adam Pack, Gordon LaBedz, Jim Coon, Take Tomson, Mel Wills, Thorne Abbott, Eric Kingma, David Jung, Leimana DaMate.

Council members asked whether an alternative to include all waters was considered. Staff noted that this had been considered when the sanctuary was first established and rejected as an alternative. There is no justification or rationale to consider this as an alternative at this time. Discussion followed, and council members noted that in the same way that the council evolved from where it began, communities are becoming more aware and want to be involved in discussions, so ultimately, community involvement will be key. There was some discussion about the authority of the National Marine Sanctuaries Act (NMSA), and the fact that there are multiple agencies with responsibilities for resources in Hawai 'i. Council members asked about place-based regulations that may target some communities,

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and staff responded that place-based regulations are being considered, and are being reviewed before moving forward.

Elia Herman provided a presentation about the analysis requirements under the Hawai 'i Environmental Policy Act (HEPA), noting that the Department of Land and Natural Resources (DLNR) became a joint lead agency in 2012, and thus, HEPA is applicable because of the use of state waters. However, she emphasized that the EIS is going to be one document that meets requirements of both HEPA and the National Environmental Policy Act (NEPA). She explained that one important difference lies in the cultural impact assessment (CIA). She also provided a summary of the public comments received during the State of Hawaii 30-day public comment period conducted to meet State requirements, noting that there was one public meeting to brief the Board of Land and Natural Resources (BLNR) on the process. A total of 516 public comments were received, and when submissions were organized by location, the majority were from within Hawai 'i, with 312 from Kauai. The comments were not substantively different than those received in the public comment period of 2010, and there were concepts consistent with overarching considerations, as well as concerns about environmental impacts and socioeconomic considerations.

## Recommendations from Sanctuary Naming Working Group

Handout available: Final Recommendations Report

Sol Kaho 'ohalahala, Chair of the Sanctuary Naming Working Group, explained how the working group came about in January of 2012. He acknowledged the members of the working group and reiterated that participation was not limited to council itself, but was open to all who wished to take part. He briefly mentioned all of the members of the working group.

Sol explained that the working group came up with ten potential names, which are all explained in the Final Recommendations report. They also produced a rubric to provide the methodology for evaluating the potential names, with desired outcomes and achievements to act as a measuring stick for all considered names.

Sol explained the review phase for the working group, during which working group extended their recommendations to more reviewers. The list of potential names and the rubric was given to various community members who had broad expertise and experience that they could offer in their review. He noted that participants in the extended review body were invited based on the following criteria:

- Fluency in 'olelo Hawaii
- Knowledge of Hawaii place names/practices
- Knowledgable in Marine eco-systems
- Knowledge in Marine conservation
- Experience in working in or with protected areas as managers, partner agencies, etc.
- Knowledge and experience in cultural resources
- Marine environment through cultural or professional experience

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# Hawaiian Islands Humpback Whale National Marine Sanctuary **Advisory Council**

With the collaboration of the working group and the selected reviewers, there are three names that are being recommended to the SAC for consideration for forwarding to sanctuary management, one of which is a new name that the review phase came up with. Sol emphasized that all names are open to further debate, and he provided a brief explanation for each.

- Name 1: Na Kai 'Ewalu National Marine Sanctuary
  - Often referenced in Hawaiian language newspapers
  - Poetic reference to the eight seas of Hawaii
  - Found in 30 references from 1867-1934
  - Prominent in Hawaiian history
- Name 2: Lāhui Kai o Hawai'i National Marine Sanctuary
  - o Lāhui means nation, tribe, etc.
  - o Kai means sea
  - Supports conservation effort/Hawaii perspective of marine conservation 0
  - Cultural approach to conserving Hawaii
  - o Places ocean species and humans on an equal spectrum
- Name 3: Kaiāulu Hawai'i National Marine Sanctuary
  - Modern yet appropriate name for the sanctuary
  - As members of the community we are all supportive of the sanctuary
  - Turbulent sea is an uncommon interpretation of the phrase

Sol noted that the new name will be important in creating a new identity for the sanctuary, given the council's recommendation to transition to ecosystem based management, and that he hopes that the new name will be able to reflect that.

There was discussion about whether a vote would make a decision, but there is clarification that sanctuary management will consider and do their own research before selecting a new name. Adam Pack noted that any vote by the council will be taken later in the afternoon.

MOTION: Jim Coon motioned that the Sanctuary Naming Working Group report be adopted and supported by the SAC and forwarded to sanctuary management for consideration. Maka 'ala Ka 'aumoana seconded the motion. Discussion followed.

Walter Ritte expressed some concern about the second name because it places man and the 'āina on an equal level, whereas native Hawaiian culture places man as sub-servants to the 'āina. Sol Kaho 'ohalahala acknowledged his concern, but is hoping that in this interpretation we consider ourselves as a part of an environment as opposed to below the environment or in dominance of it. He added that the working group suggested these three because they all embrace the ideal conditions of the name as stated in the rubric.

Malia Chow emphasized that any names suggested by the SAC carry important weight with the ONMS, and that leadership of ONMS often support, whenever possible, recommendations from sanctuary advisory councils.



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Council members express concern about pronunciation, since names can be easily tarnished if they are too complex. Malia Chow noted that this may be an opportunity to promote correct pronunciation of Hawaiian names. Sol Kaho 'ohalahala added that audience reception was one of the things considered in the rubric, as well as pronunciation. He acknowledged Keoni Kuoha who introduced the rubric to the working group, which paid dividends in generating names.

Kehau Watson provided more context for the suggestion of Na Kai 'Ewalu National Marine Sanctuary, stating that it has historical significance because Uncle Charlie Maxwell and Sharon Pomroy both supported it, and it is deeply rooted in Hawaiian context.

Johanna Kamaunu commented on the name Paimālama, noting that it doesn't just mean to take care of something, but to understand what makes everything work, so there is more depth to malama than advertised. Sol Kaho 'ohalahala noted that this name did meet all the rubric requirements except the sense of location.

## Sanctuary Advisory Council Updates

Brenda Asuncion provided updates about the council's portion of the sanctuary website, including a new link on the left column of the homepage, biographies and photos of current members, a table and links to past actions of the council, and a record of past members on the council.

Brenda Asuncion explained the role of council officer seats (chair, vice-chair, and secretary), and notes that there will be elections for the chair and vice-chair at the next council meeting. Adam Pack encouraged interested council members to provide their biographies and a statement of interest to Brenda Asuncion by the end of August.

Brenda Asuncion explained the council seats that have terms ending, and that there will be a round of recruitment from August 15 through September 30. Adam Pack asked for interested council members to participate in a Selection Committee for next round of recruitment: Jennifer Barrett, Jack Kittinger, George Thompson, and the Native Hawaiian seat representative volunteered.

David Swatland also announced that Reserve Advisory Council Native Hawaiian seats will be open for recruitment at the same time.

Duane Smith, the new NOAA Prosecuting Attorney for the Pacific Region introduced himself to the council members. He explained that he previously lived in Hawaii having served with the Coast Guard, and will assume Alexa Cole'duties while continuing to coordinate with her.

## **Working Lunch: Sanctuary Updates**

Sanctuary staff provided recognition certificates and lei for council members whose terms will be coming to an end.



Council members were provided updates on various sanctuary initiatives and issues related to the sanctuary:

Jennifer Barrett introduced the Hawaii Natioal Marine Sanctuary Foundation (HNMSF), a newly established local chapter of the National Marine Sanctuary Foundation. This is the first local sanctuary chapter created under the national foundation. She noted that the 6month pilot phase was completed successfully at the end of 2012, and that the National Foundation is looking to the Hawai 'i chapter as a model for other potential chapters associated with other sanctuaries, following its official launch in February 2013 on Maui. Jennifer Barrett explained that approximately \$32,000 has been raised through retail sales, and that a donation recently received from the Daniel K. Inouye fund contributed for the food and refreshments at the SAC meeting. She acknowledged that there is yet to be representation from each Hawaiian Island on the board of the chapter, but that it is something that current board members are looking to address in the future, in addition to a current search for two new board members from Hawai 'i Island. Jennifer Barrett discussed the current focus of the chapter, which is fundraising and partnering with the sanctuary in outreach efforts. Website: www.hawaiiNMSF.org

Adam Pack introduced discussion about an Office of National Marine Sanctuaries (ONMS)-wide initiative to engage in travel and tourism, as a part of the Campaign of Engagement. He invited Kehau Watson and Malia Chow to provide more explanation. Kehau Watson provided a brief overview of the SAC summit in Monterey Bay that focused on the question "How do sanctuaries work better with visitor industries nationally?" Malia Chow provided more context about the White House Administrations Executive Order on travel and tourism and the recently created task force and NOAA's representation on the task force. She posed the question "How do we emphasize the role of conservation to the visitors here?", then explained that through collaborations with the Hawai 'i Tourism Authority, the national marine sanctuary in Hawaii can be promoted by the tourism industry to increase awareness and understanding of sanctuary resources. Malia Chow noted that sanctuary staff have been in discussions with Turtle Bay Resort and business in Ka 'anapali (Maui) to promote responsible tourism. There is a brief discussion about Dolphin Smart, which is a voluntary certification program initiated by the Florida Keys National Marine Sanctuary and other partners. Council members noted that there are already a number of programs that certify visitors in education about protecting resources, and that we need to align with these programs and standards to strengthen all efforts. They also encouraged alignment with the work of Hawaii Tourism Authority regarding public service announcement. There was discussion about the conflicts between tourism activities and new management rules, and how these can be addressed moving towards ecosystembased management.

Fiona Langenberger and Jean Souza provided background information and updates about the Sanctuary Classic, including the nation-wide extent of the event, and the unique aspects of the event in Hawai 'i. Jean Souza presented information on local events including the ones at Turtle Bay, O'ahu, and Hanalei, Kaua'i. She added that events will occur on Maui and Hawai 'i Island in the coming months. The Sanctuary Classic illustrates that the sanctuary is open to responsible fishing. Sol Kaho 'ohalahala mentioned the lawai 'a fish

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camp that occurred on Lāna 'i, and mentioned his granddaughter being featured as a contestant on the website.

Elia Herman discussed a resolution from the Hawai 'i legislature that asked NOAA and DLNR to evaluate the issue and plan for protection of humpback whales from vessel strikes. Adam Pack mentioned an upcoming paper that he did with Ed Lyman and others to examine the impacts of vessel strikes.

Jean Souza discussed the Kaua 'i County Council resolution asking for the state to play a role in ocean management, and asking the sanctuary to analyze the socioeconomic impacts and the needs of fisher communities in the sanctuary. Also, the resolution asked NOAA to not designate critical habitat in the sanctuary until analyses have been completed. Jean Souza noted that Maka 'ala Ka 'aumoana, Malia Chow, Elia Herman, and others testified. Lisa Van Atta provided more context about the background of the resolution. She noted that National Marine Fisheries Service (NMFS) Pacific Region staff attended the meeting and that many knowledgeable people in the room answered questions about both the NMFS critical habitat and sanctuary initiatives.

Emily Gaskin presented on the ONMS sanctuary nomination process which is currently undergoing a public comment period, then council members viewed an ONMS video describing the process. Council members commented that the nomination process seems to be a premature step given the extensive consultations that need to take place for new areas of the sanctuary, but there was clarification that the process is only for areas that are not already sanctuary sites.

## **Subcommittee Reports**

#### **Native Hawaiian**

Kehau Watson first clarified that Walter Ritte is the vice-chair of the subcommittee, taking Sharon Pomroy's place.

Kehau Watson discussed the Aloha Aina workshop (which was also an agenda item at the SAC meeting in September 2012), and how the guidance document received national attention and is being taken into consideration throughout management plan review. She also provided an overview of the sanctuary's involvement in the effort to streamline the permitting process for fishpond restoration activities. Kehau discussed an opportunity to collaborate with the cultural working group of the Reserve Advisory Council for Papahānaumokuākea Marine National Monument, by creating an additional working group of the SAC, with the goal of providing recommendations on the treatment of cultural resources in the Hawaiian Archipelago. Adam Pack clarified that a motion is not necessary to establish a working group. The Archipelagic-wide Cultural Working Group was established.

Kehau Watson described how the State is moving forward with HEPA compliance by having a consultant work on the Cultural Impact Assessment, and since Honua Consulting received the contract, Kehau is resigning effective immediately due to a conflict of interest.

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She noted that Matt Sproat (currently the alternate, and a fisherman and practitioner) will be filling her seat so the alternate seat is now available. Malia Chow took the opportunity to recognize Kehau as the site's nominee for the National Marine Sanctuary Foundation Volunteer of the Year award. Kehau was presented with a plaque and flower lei to acknowledge her as the HIHW Sanctuary Volunteer of 2013. Adam Pack thanked Kehau Watson for the extensive work she has done on the SAC.

#### Research

Jack Kittinger provided a presentation of projects that can inform ecosystem-based management in the sanctuary, noting that there would be a benefit of increased coordination among the projects.

- 1. Marine Spatial Planning in the 'Au 'au channel
- 2. Bureau of Ocean Energy Management (BOEM) funded projects. Jack Kittinger introduced Hans Van Tilburg (ONMS Maritime Heritage Program) to discuss aspects of the cultural resource assessment BOEM-funded project.
  - a. Cultural Resource Assessment (presented by Hans Van Tilburg)
  - b. Pacific Regional Ocean Uses Atlas participatory mapping (NOAA-CSC engaged with Pacific-CSC)
  - c. Biogeographic Assessment has long been an interest of the sanctuaries in terms of getting data about the biophysical data and the state of resources. Has been completed for Papahānaumokuākea Marine National Monument (Coastal Science)

There was discussion about BOEM motives for these projects, and the role of community participation. Malia Chow noted that these initiatives can provide important information for resource managers, and that sanctuary managers will benefit from data collected as a result of these initiatives. Jack Kittinger added that the purpose of this presentation was to make people aware that these projects have been initiated and may form the basis for energy planning in offshore waters around Hawaii. Andrea Gill added that this information will be used to make informed decisions, and that there is a workshop next week that will go into technical detail for wave and off-shore wind energy. Council members discussed the concerns and benefits of community participation at this early stage or at a later time. Hans Van Tilburg emphasized that any guidance documents would be community driven, which is different than an assessment of impacts and presented to the public for review and comment only. Malia Chow noted that the sanctuary has had numerous interactions with BOEM, and that their representatives have offered to present at a SAC meeting and answer questions, which can be arranged for the next SAC meeting.

- 3. Ocean Tipping Points Project Lead by Stanford University Center of Ocean Solutions and the National Center for Ecological Synthesis and Analysis at the University of California, Santa Barbara. This project will define a safe operating space for marine systems; develop indicators for tipping points; in close coordination with Sanctuary Staff using the sanctuary in Hawaii as a case study.
- 4. Meta-Analysis of Reef Fish Communities
- 5. Kona Integrated Ecosystem Assessment



Cindi Punihaole Kennedy Citizen-At-Large

Richard Davison Commercial Shipping

Barbara (Makaʻala) Kaaumoana Conservation

Jennifer Barrett

Myrick (Rick) Gaffney Fishing

Adam Pack (Chair) Hawai'i County

Roberts (Bob) Leinau Honolulu County

George Thompson Kaua'i County

Solomon Pili Kahoʻohalahala

Robin Newbold Maui County

Trisha Kehaulani Watson

Douglass Cole Ocean Recreation

John (Jack) Kittinger

Kimokeo Kapahulehua Tourism

Whale Watchina

Taylor Heckman Youth Member (non-voting)

## GOVERNMENT (Non-Voting)

DBEDT - Office of Planning

Andrea Gill DBEDT Renewable Energy

William J. Aila Jr. DLNR

Elia Herman DLNR – Hawaiian Islands Humpback Whale NMS

 $\begin{array}{c} \text{Gary Gill} \\ DOH \end{array}$ 

Everett Ohta OHA (Voting)

Gene Brighouse

Malia Chow Hawaiian Islands Humpback Whale NMS

Take Tomson NOAA OLE

Eric Kingma WESPAC (Voting)

Athline M. Clark USACOE

Eric Roberts

US Coast Guard

Rebecca Hommon

## Hawaiian Islands Humpback Whale National Marine Sanctuary **Advisory Council**

Jack Kittinger concluded by saying that the Research Committee can play a role in linking these projects together with management and keeping everyone informed on the issues. Adam Pack noted that an additional role of the Research Committee is to weigh in on existing research, including opportunities for funding.

#### **Education**

Jennifer Barrett discussed the potential role of the Education Committee in relation to sanctuary programs and initiatives, and noted that there can be a follow-up email send to the SAC to solicit interested participants. Brenda Asuncion added that there are sign-up sheets outside the room.

#### Conservation

Maka 'ala Ka 'aumoana noted that she joined the SAC as the management plan review process began, so her involvement as the chair of the Conservation Committee has been through opportunities related to MPR. She reminded council members that on behalf of community members from Kaua'i, in 2012, she presented the resolution to adjust the boundary to align with the Hā'ena ahupua'a and support the Community-Based Subsistence Fishing Area rule-making process. Maka'ala commented that her vision for the committee is for it to play a prominent role for the SAC and the community as the management plan review process moves forward. Adam Pack noted that the research and conservation committees used to be combined but over the years they found that there were areas where they were more effective working separately.

Adam Pack concluded the discussions by stating that he hopes each member of the SAC participates in at least one subcommittee.

#### Break

## Petition to De-list Humpback Whale under the Endangered Species Act

Lisa Van Atta (NOAA Fisheries Pacific Islands Regional Office, Protected Resources Division) presented on the petition received to de-list humpback whales under the endangered species act, emphasizing that the process is ongoing. She explained that NMFS self-initiated a process to evaluate the humpback whale status, and then published a technical memorandum in 2011 on the status of humpback whales. At that point, the next step was to determine whether there are distinct population segments and if so, if any of the segments are warranted for a particular status. However, on April 16, 2013, they received a petition to de-list the North Pacific population of humpback whales, for which a decision on the finding was due 90 days from April 16, 2013 (July 19<sup>th</sup>). A finding is expected within the September 2013 timeframe, then they will have one year to issue a final ruling.

There was discussion about the metrics for determining whether an animal is threatened or endangered, and Lisa Van Atta explained that there are not distinct metrics that apply for all species, but that the status review process outlines protocols for the analysis. Lisa also explained that her presentation will not focus on historical stock estimates or other aspects of biology of the species but rather will describe the process NMFS has undertaken to respond to the petition.



A council members asked whether the Endangered Species Act (ESA) and protection regimes can be used to institute fishery population improvements for North Pacific herring, as it may be related to humpback whale populations.

Adam Pack added that historically, the numbers of humpback whale take from reporting have not been accurate, due to inaccurate reporting. He mentioned estimated population numbers; as of 2006, estimates for the North Pacific population were 21,808.

Gary Gill asked what protections could be eliminated if whales were delisted. Lisa Van Atta mentioned that there could be many effects, but the number one is the prohibition on 'take'. There is also an ESA regulation on the 100 yard approach, and a section 7 requirement that federal agencies must have consultations with NMFS. Also, it is noted that there is a plan to have concurrent state protection and management plan for the species if it is delisted.

#### **Public comment**

David Jung spoke first for testimony for Sea Link of Hawaii (Maui to Moloka 'i Ferry). The company is very concerned about unnecessary regulations that would impact their business. He noted that the approach rule is not just about approach because whales can approach vessels, and this puts them in violation of the approach rule. He stated that females and calves seek vessels for protection, so laws should reflect the enforceable intentions. He asked the council to be careful about filing new regulations against Hawaii users because they could lose community support for the sanctuary. He noted that the company has supported research and they want to continue to do so. He added that vessel design is a useful approach to increase whale protection. On behalf of the Lahaina Harbor Advisory Committee, David continued comment noting the committee's objections to further regulations, and statements that existing regulations are appropriate because further regulations will impact people and businesses.

Adam Pack called for more public comments and questions for Lisa Van Atta. Lisa confirmed that there will be a public process built into the overall timeline and process.

#### New business / action items

Jim Coon made a motion to accept the sanctuary naming working group report and move complete recommendations forward to sanctuary management. Second by Maka 'ala Ka 'aumoana. Voted on the motion, unanimously passed.

Elia Herman announced that Sarah Courbis has resigned her position as Sanctuary State Operations coordinator and they are recruiting to fill her position. She added that Frazer McGilvray is the new DAR administrator and will start on the Aug. 26<sup>th</sup>, Erin Zanre is the new DAR community based subsistence fishing coordinator, and Luna Kekoa is the new Makai Watch community coordinator.

#### NON-GOVERNMENT (Voting)

Tetsuzan Benny Roi

Cindi Punihaole Kennedy Citizen-At-Large

Richard Davison Commercial Shipping

Barbara (Makaʻala) Kaaumoana Conservation

Jennifer Barrett

Myrick (Rick) Gaffney Fishing

Adam Pack (Chair) Hawai'i County

Roberts (Bob) Leinau Honolulu County

George Thompson Kaua'i County

Solomon Pili Kahoʻohalahala

Robin Newbold Maui County

Walter Ritte

Trisha Kehaulani Watson Native Hawaiian

Douglass Cole Ocean Recreation

John (Jack) Kittinger

Kimokeo Kapahulehua Tourism

Jim Coon Whale Watchina

Taylor Heckman Youth Member (non-voting)

## $\underline{\mathbf{GOVERNMENT}} ( \mathrm{Non\text{-}Voting})$

DBEDT – Office of Planning

Andrea Gill DBEDT Renewable Energy

William J. Aila Jr. DLNR

Elia Herman DLNR – Hawaiian Islands Humpback Whale NMS

Gary Gill DOH

Sandra Rossette

Everett Ohta OHA (Voting)

Gene Brighouse NMS of American Samoo

Malia Chow Hawaiian Islands Humpback Whale NMS

Aulani Wilhelm Papahānaumokuākea MNM

Take Tomson NOAA OLE

Lisa Van Atta NOAA Fisheries PIRO

Eric Kingma WESPAC (Voting)

Athline M. Clark US ACOE

Eric Roberts US Coast Guard

Rebecca Hommon

US Navy



Cindi Punihaole Kennedy Citizen-At-Large

Richard Davison Commercial Shipping

Barbara (Makaʻala) Kaaumoana Conservation

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DLNR

Everett Ohta OHA (Voting)

Gene Brighouse

Malia Chow Hawaiian Islands Humpback Whale NMS

Take Tomson NOAA OLE

Lisa Van Atta NOAA Fisheries PIRO

Eric Kingma WESPAC (Voting)

Athline M. Clark US ACOE

Eric Roberts US Coast Guard

Rebecca Hommon

# Hawaiian Islands Humpback Whale National Marine Sanctuary **Advisory Council**

Adam Pack announced that Jack Kittinger expressed interest in the Vice Chair position on the SAC, so the secretary position will go through the election process at the next meeting as well. Council members noted that it would be best for Adam Pack to continue serving as chair at the next meeting when the new chair is announced, since there is so much involvement required for meeting preparation.

Malia Chow announced that there is a new NOAA exhibit opening at the Lahaina courthouse, in partnership with the Lahaina Historic Society on Maui. She also noted that the sanctuary office will move to the Inouye Regional Center in January, and that future SAC meetings may occur there. New visitor exhibits highlighting NOAA have been designed for the new IRC.

Maka 'ala Ka 'aumoana announced that Jean Souza initiated an Ocean Awareness Training for Kaua 'i. Jean Souza explained that the training will instruct 50-60 participants from Kaua 'i and several staff and experts will be speakers.

Kimokeo Kapahulehua wanted to recognize the HNMSF and encourage people to help find support for the chapter. Jennifer Barrett added that if people know of businesses that are interested in sponsoring the foundation to let her know.

Adam Pack read a letter from Becky Hommon, expressing her gratitude for participation on the council, and communicating her Navy representation being fulfilled by Janice Fukawa.

David Swatland noted that there is a whale skeleton exhibit deteriorating at the Maritime Museum due to lack of air conditioning, and encouraged everyone to think of ways for this resource can be maintained and preserved.

#### Pau

